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October 24, 2002

Via Electronic Filing
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

## Re:

In the Matter of Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers and Implementation of the Local Competition Provisions in the Local Telecommunications Act of 1996, CC Docket Nos. 01-338; 96-98; 98-147

<u>In the Matter of Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities</u>, CC Docket Nos. 02-33; 95-20; 98-10

In the Matter of Federal-State Joint Board on Universal Service, CC Docket Nos. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116

## Dear Ms. Dortch:

On Tuesday, October 21, 2002, I spoke with Christopher Libertelli, Chairman Powell's Legal Adviser, to discuss issues related to the aforementioned proceedings. During the course of that discussion, I reiterated AT&T's view that it is impaired in the provision of all telecommunications services to both small/medium business and residential customers without the availability of UNE-P. I also explained to Mr. Libertelli that some form of mechanized loop provisioning process was an essential first step before the Commission could contemplate moving to a world without requiring ILECs to provide unbundled local switching. I pointed Mr. Libertelli to the extensive factual record created by CLECs, including AT&T, on the specifics of the impairment issue and urged the Commission adopt rules consistent with that record.

I also explained to Mr. Libertelli that use restrictions commingling limitations on special access circuits that prevent CLECs from converting underlying ILEC facilities to UNEs are prohibited under the Act and should be eliminated.

On the USF docket, I advised Mr. Libertelli of our ex parte filing made earlier that day and walked through the basic principles of that proposal.

The positions expressed in the meeting were consistent with those contained in the Comments Reply Comments and ex parte filings previously made in the aforementioned dockets. One electronic copy of this Notice is being submitted for each of the referenced proceedings in accordance with the Commission's rules.

Sincerely,

Robert W. Zuinn J.

cc: Christopher Libertelli